

**ORIGINAL**

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C.

**RECEIVED**

APR 28 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )

)   
Amendment of Part 73 of the )   
Commission's Rules to Create a )   
Low Power FM Broadcast )   
Service )   
)   
)MM Docket No. \_\_\_\_\_   
Rule Making No. 9242

To: Chief, Mass Media Bureau

**MOTION FOR LEAVE TO FILE**

Radio One, Inc. (hereinafter "Radio One"), hereby requests leave to file a day after the established deadline of April 27, 1998, its Opposition to the Petition for Rule Making filed February 20, 1998, by TRA Communications Consultants, Inc. (hereinafter "Petitioner"), asking that the Federal Communications Commission amend its rules to create a new low power FM broadcast service. The basis for Radio One's request is as follows.

Radio One prepared its Opposition in a timely manner and arranged for a courier to file it with the Office of the Secretary in Washington, D.C. The Certificate of Service showed that two parties--the Petitioner and Mr. Webbink, Chief of the Policy and Rules Division--would be served with a copy of the Opposition. A copy of the Opposition was sent by regular mail to the Petitioner on April 27<sup>th</sup>.

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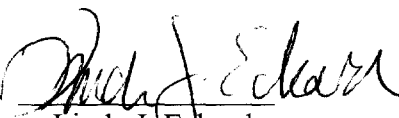
Unfortunately, instead of the original being filed directly with the Secretary's office, it was mistakenly delivered to Mr. Webbink along with his service copy. Counsel for Radio One did not learn of the error until after the 5:30 p.m. filing deadline. Therefore, the error could not be corrected until today.

Radio One is today filing exactly what was prepared for filing yesterday. Radio One respectfully requests that the Commission accept Radio One's late-filed Opposition and consider it as part of the record in this proceeding. No one will be prejudiced by such acceptance. First, the Petitioner was timely served yesterday with a copy of the Opposition exactly as it is being filed today. Second, all other parties participating in this proceeding will have access to the Opposition filed by Radio One well before the May 26<sup>th</sup> deadline for reply comments.

WHEREFORE, for the foregoing reasons, Radio One, Inc., respectfully requests that the Commission ACCEPT for filing its Opposition to Petition for Rule Making.

Respectfully submitted,

RADIO ONE, INC.

By:   
Linda J. Eckard  
General Counsel

5900 Princess Garden Parkway  
8<sup>th</sup> Floor  
Lanham, MD 20706  
(301) 306-1111

April 28, 1998

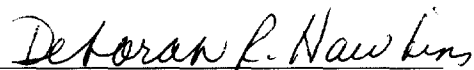
**CERTIFICATE OF SERVICE**

I, Deborah R. Hawkins, Assistant to the General Counsel of Radio One, Inc., hereby certify that a true and correct copy of the foregoing Motion for Leave to File was sent this 28th day of April, 1998, by first-class mail, postage prepaid, to the following:

\*Douglas Webbink, Esq.  
Chief, Policy and Rules Division  
Federal Communications Commission  
2000 M Street, N.W.  
Washington, D.C. 20554

Mr. J. Rodger Skinner, Jr.  
TRA Communications Consultants, Inc.  
6431 NW 65<sup>th</sup> Terrace  
Pompano Beach, FL 33067-1546

\* BY HAND DELIVERY

  
\_\_\_\_\_  
Deborah R. Hawkins